

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KATHLEEN VISCI, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Civil Action No. 10-1303
	)	
v.	)	Judge Fischer
	)	Magistrate Judge Bissoon
METLIFE BANK, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

The parties' Joint Motion (**Doc. 52**) to stay resolution of Plaintiffs' Motion (Doc. 39) for conditional certification of a collective action under the FLSA is **GRANTED**, as follows.<sup>1</sup> Although a formal stay will not be entered, the Court's ruling on Plaintiffs' Motion for conditional certification will be held in abeyance, and, for the Court's internal/administrative purposes only, the Motion (**Doc. 39**) is **DENIED WITHOUT PREJUDICE**.

Consistent with the parties' Motion to stay, the period of abeyance will extend until July 1, 2011. If the parties do not by then amicably resolve the case, a Telephonic Status Conference will be held before the undersigned on July 1<sup>st</sup> at 10:00 a.m. Counsel shall contact the undersigned's Chambers on a single telephone line, and Plaintiffs' counsel shall initiate the call. At the Conference, counsel should be prepared to discuss the status of their settlement negotiations. If, after the Conference, any party desires that Plaintiffs' Motion for conditional certification be reinstated, the Motion, Plaintiffs' supportive papers and Defendants' opposition

---

<sup>1</sup> Both the Joint Motion to stay and Plaintiffs' Motion for conditional certification are non-dispositive matters subject to resolution by a magistrate judge. See Hutchins v. Bayer Corp., 2009 WL 192468, \*3 (D. Del. Jan. 23, 2009) (holding same regarding motion to stay) (citations omitted); Summa v. Hofstra Univ., 715 F. Supp.2d 378, 383-84 (E.D.N.Y. Jun. 1, 2010) (same regarding conditional certification under FLSA) (collecting cases).

papers may be renewed through the filing of a short motion referencing the submissions already made.

IT IS SO ORDERED.

May 3, 2011

s/Cathy Bissoon  
Cathy Bissoon  
United States Magistrate Judge

cc (via email):

All Counsel of Record